Claims 38-42 have been amended to recite the presence of "at least one" 1-hydroxy-2-pyridone in the composition used according to the claimed method. This amendment emphasizes to one of ordinary skill in the art that the claimed method may employ more than one 1-hydroxy-2-pyridone at a time. Support for this amendment can be found in the application as originally filed, and in particular in the specification at page 8, lines 25-27. Since the language "at least one" modifies "surfactant" in the final paragraph of claim 38, Applicants have deleted the phrase "and mixtures thereof" as redundant and without intent to narrow the scope of the claims.

Other amendments have been made to the claims to more particularly point out and distinctly claim the subject matter Applicants regard as their invention. "The step of" and "may be" have been deleted from claim 38, to avoid unintended claim construction. The definition of Ar has been amended to follow more closely the disclosure in the specification. See specification at page 3, lines 15-16. "The pharmaceutically acceptable salt thereof" has been deleted from the last paragraph of claim 38, since it is redundant. Claim 42 has been redrafted to avoid unintended claim construction that would exclude mixtures of 1-hydroxy-2-pyridones and/or their salts. See specification at page 8, lines 25-27. Claim 48 has been modified to avoid any possible confusion as to the number of surfactants required by the method of that claim. Support for this modification can be found, for example, in original claims 7, 8, 10, and 11. Finally, claims 39-42 and 48 have been amended to depend from claim 38. Support for this amendment can be found, for example, in these claims as originally filed.

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II. Information Disclosure Statements

Applicants respectfully repeat their request that the Examiner's consideration of Information Disclosure Statements already submitted in this case be made of record. See Information Disclosure Statement Under 37 C.F.R. § 1.97(b) filed May 26, 1998, and First Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b) filed December 4, 1998, and Amendment and Response Under 37 C.F.R. § 1.111 filed July 17, 2000, at page 9. In addition, a Supplemental Information Disclosure Statement is being filed herewith. Applicants respectfully request the Examiner to consider the submitted documents, and to provide Applicants with initialed copies of the 1449 forms to indicate her consideration of the submitted documents. If the Examiner needs a copy of any of the submitted documents, or of the IDS papers, the Examiner is invited to contact the undersigned at (202) 408-4331.

III. Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: September 18, 2001

By: Jeremy M. Stipkala
Jeremy M. Stipkala
Reg. No. 44,359

Enclosure: Appendix

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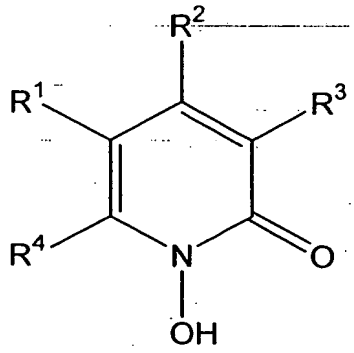
APPENDIX

Applicants present the claims in marked-up form to aid the Examiner. The amended claims reveal added text by underlining, and deleted text with bold square brackets and strikethrough font **[~~like this~~]**. If any discrepancy exists between the two versions of the claims, the version set forth above controls.

38. (Twice Amended) A method of treating a human or animal patient in need of treatment for seborrheic dermatitis comprising **[~~the step of~~]** administering to the patient an amount effective for the treatment of seborrheic dermatitis of **[**a**]** at least one 1-hydroxy-2-pyridone of formula I, wherein the at least one 1-hydroxy-2-pyridone is present in free form or as a pharmaceutically acceptable salt:



(I)

where R^1, R^2, and R^3, which are identical or different, are H or alkyl having 1 to 4 carbon atoms, and R^4 is a saturated hydrocarbon radical having 6 to 9 carbon atoms or a radical of formula II:

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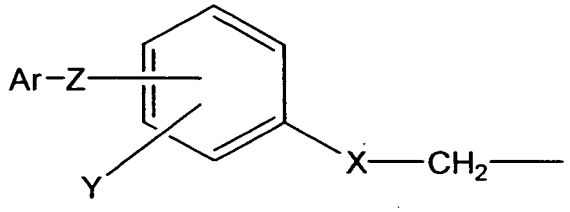

(II)

where:

X is S or O;

Y is H, or 1 or 2 identical halogen atoms, or a mixture of 2 different halogen atoms;

Z is a single bond, or

a linking radical comprising

(1) O, or

(2) S, or

(3) $-CR_2-$, where R is H or (C_1-C_4)-alkyl, or

(4) from 2 to 10 carbon atoms linked in the form of a straight or branched chain, which optionally further comprises one or more of the following:

(i) a carbon-carbon double bond, and

(ii) O, S, or a mixture thereof, wherein if 2 or more O or S atoms or a mixture thereof are present, each O or S atom is separated by at least 2 carbon atoms; and,

in any of the foregoing linking radicals, any remaining free valences of the carbon atoms of said linking radical are saturated by H, (C_1-C_4)-alkyl, or a mixture thereof;

and

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Ar is an aromatic ring system having one or two rings, the aromatic ring system being unsubstituted or [~~which are optionally~~] substituted by one, two, or three radicals, which [~~may be~~] are identical or different, [~~which~~] and are chosen from halogen, methoxy, (C_1-C_4)-alkyl, trifluoromethyl, [~~or~~] and trifluoromethoxy, wherein the at least one 1-hydroxy-2-pyridone of formula I [~~or the pharmaceutically acceptable salt thereof~~] is administered to the patient in a pharmaceutical composition, the pharmaceutical composition further comprising at least one surfactant chosen from anionic surfactants, cationic surfactants, nonionic surfactants, and amphoteric surfactants [~~, and mixtures thereof; with the proviso that the 1-hydroxy-2-pyridone of formula I is not 6-(4-(4-chlorophenoxy)-phenoxymethyl)-1-hydroxy-4-methyl-2-pyridone, 1-hydroxy-4-methyl-6-cyclohexyl-2-pyridone, or a pharmaceutically acceptable salt of either of the foregoing~~].

39. (Twice Amended) A method of treating a human or animal patient in need of treatment for seborrheic dermatitis as claimed in claim [~~49~~] 38 in which the at least one 1-hydroxy-2-pyridone of formula I comprises Ar as a bicyclic system derived from biphenyl, diphenylalkane, or diphenyl ether.

40. (Twice Amended) A method of treating a human or animal patient in need of treatment for seborrheic dermatitis as claimed in claim [~~49~~] 38 in which the at least one 1-hydroxy-2-pyridone of formula I comprises a cyclohexyl radical in the R^4 position.

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41. (Twice Amended) A method of treating a human or animal patient in need of treatment for seborrheic dermatitis as claimed in claim [~~49~~] 38 in which the at least one 1-hydroxy-2-pyridone of formula I comprises an octyl radical of the formula $-CH_2-CH(CH_3)-CH_2-C(CH_3)_3$ in the R^4 position.

42. (Twice Amended) A method of treating a human or animal patient in need of treatment for seborrheic dermatitis as claimed in claim [~~49~~] 38 in which the pharmaceutical composition comprises [~~1-hydroxy-2-pyridone of formula I is~~] 1-hydroxy-4-methyl-6-(4-(4-chlorophenoxy)phenoxymethyl)-2(1H)pyridone, 1-hydroxy-4-methyl-6-cyclohexyl-2(1H)pyridone, or 1-hydroxy-4-methyl-6-(2,4,4-trimethylpentyl)-2(1H)pyridone, or a pharmaceutically acceptable salt [~~thereof~~] of any of the foregoing, or a mixture of any of the foregoing.

48. (Twice Amended) A method of treating a human or animal patient in need of treatment for seborrheic dermatitis as claimed in claim [~~49~~] 38 in which the pharmaceutical composition further comprises [~~a mixture of at least two surfactants, which are identical or different, and are~~] at least one additional surfactant chosen from anionic, cationic, nonionic, and amphoteric surfactants.

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